

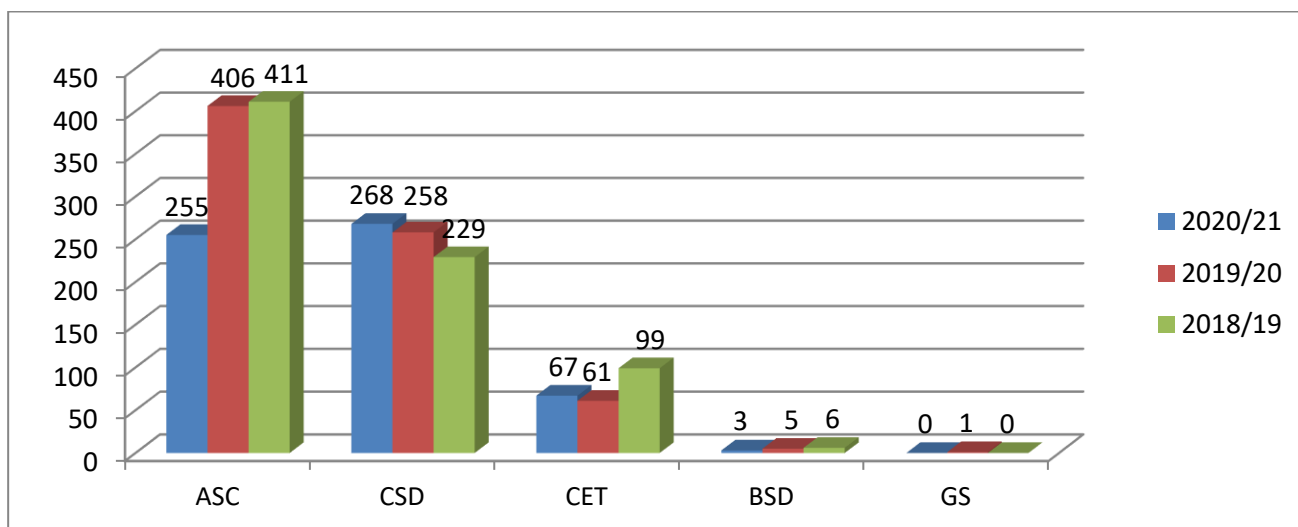
## Governance Committee

30 September 2021

### Appendix 2 Complaints and compliments by department 2020/21

#### 1. Summary

1.1 The following chart shows the number of complaints received in 2020/21 by department compared with 2019/20 and 2018/19. ESCC received 593 complaints in total in 2020/21 compared to 731 complaints in 2019/20, which represents a decrease of 19%. This due to a decrease in complaints in Adult Social Care and Health which is explained in section 2.0. Please note comparisons of complaints and compliments between departments are not valid due to the nature of the different services provided by each department.



1.2 The following table presents the number of Local Government & Social Care Ombudsman (LGSCO) complaints for ESCC where decisions were made and the percentages of upheld complaints compared to similar authorities for the last three years. LGSCO complaints by department are represented in the sections below. The percentage of upheld complaints has increased this year. However, the absolute number of upheld complaints remains similar to last year and the number of investigated complaints is lower than previous years. This adds to the percentage being higher when dealing with such low numbers and is reflected as well in the average of similar authorities at 71%.

Year	Investigated	Upheld	Not upheld	Not investigated	Total	ESCC uphold rate %	Average County Council uphold rate %
2020/21	30	21	9	38*	68	70%	71%
2019/20	38	20	18	62	100	53%	66%
2018/19	42	28	13	49	90	67%	64%

\*Please note: two complaints which were not investigated do not have departments which can be allocated to sections below.

1.3 For upheld complaints there were 49 remedies that ESCC carried out which were met with 100% compliance. The following is a breakdown of the remedies:

- Apology (12)
- Financial Redress (16): avoidable distress / time (9), quantifiable loss (3), loss of service (4)
- New appeal, reassessment (3)
- Procedure or policy review / change (10)
- Training and guidance (5)
- Already remedied before decision (3)

## 2. Adult Social Care and Health

	2020/21	2019/20	Change
Number of complaints received	255	406	↓37%
Number of complaints upheld/partially upheld *to date	102*	159	↓36%
Number of compliments	823	1431	↓42.5%

### 2.1 Summary

2.1.1 There was an extraordinary 37% decrease in the complaints received about Adult Social Care and Health (ASCH) services compared to the previous year. Primarily this can be attributed to the impact of the Covid-19 pandemic throughout the year. We deferred the ASCH complaints process from late March 2020 until September 2020 to enable the department to focus on its response to the first wave of the pandemic. Members from the team were redeployed to other duties, supporting Clinically Extremely Vulnerable (CEV) residents in East Sussex.

2.1.2 The process remained open during the second wave, December through to March, although, as in the first wave, issues were looked into and resolved without instigating the complaints process, wherever possible. This being the case, it is not possible to provide a direct comparison with last year's data. Proportional analysis however shows that the number of complaints that were upheld was similar to last year, at around 40%.

2.1.3 The main areas of concern recorded across the department were delay or failure to do something, disagreement with decisions in relation to assessment outcomes, and disagreement with charges for services.

2.1.4 ASCH has however continued to receive far more compliments (823) about our services than complaints (255). This year the ratio per compliment to complaint is 3.3 compared to 3.5 last year.

### 2.2 Action taken to improve the service

2.2.1 During the pandemic, although the complaints process was deferred, we continued to receive concerns. Realising the limits that frontline services had to respond to concerns, these were triaged and responded to in the most pragmatic way. This led us to develop new pathways to resolve concerns and to provide support to colleagues, allowing us to be more curious, creative, and less driven by the process of complaints. Since reinstating our complaints process, we have continued to use and develop these pathways to provide a person centred and resolution focussed approach. We have also continued to build on already strong relationships with colleagues and partners, utilising digital technology to the full. This has allowed us to keep on average a third of concerns raised with the team each month out of the complaints process.

2.2.2 Going forward we are implementing a new system to allow us to ensure the implementation of the learning and actions that result from complaint enquiries. We are also working with colleagues to develop contact strategies to manage persistent contactors to the department. The work we did supporting the CEV residents has allowed us to realise the importance of clear, concise, and consistent communication and the skills that have been developed in our wider team can also be used to support the department.

2.2.3 East Sussex Health Trust (ESHT) has ensured there is a written procedure in place which is consistent with good clinical care and treatment to show how and when a referral to the Joint Community Rehabilitation team may be reprioritised from urgent to non-urgent or vice versa.

2.2.4 In relation to financial assessments, we have reviewed the discretionary disregard report form to ensure it captures all the key information, and answers all the key questions, that the Council needs to consider when making a decision about discretionary property disregards.

### 2.3 Compliments

2.3.1 Compliments also provide valuable information about the quality of our services and identify where they are working well. The sincere expressions of gratitude we have recorded show how much services are valued by the people who use them and their families and friends. This year people have particularly praised our Neighbourhood Support and Joint Community Rehabilitation Teams across the county.

## 2.4 Local Government & Social Care Ombudsman (LGSCO)

2.4.1 The table below sets out the LGSCO findings for complaints about ASCH.

Year	Investigations		Closed after initial enquiries	Invalid/incomplete	Referred back	Advice given	Total
	Upheld	Not upheld					
2020/21	10	6	6	2	4	1	29
2019/20	10	10	12	5	7		44
2018/19	14	7	8	5	5		39

2.4.2 The LGSCO made decisions on 29 complaints this year for ASCH and 10 were upheld, which was 62% of 16 complaints investigated. The number of complaints investigated remained similar as previous years (21 in 2018/19 and 20 in 2019/20), however slightly lower in both decisions made and investigated due to the LGSCO suspending its operations from March to June 2020.

2.4.3 Further analysis for ASCH of the LGSCO complaints will be provided in the department's Annual Complaints Report. The report will be available later in the year and published on the Council's website: [Comments, compliments and complaints annual report](#). This report is provided under the Local Authority Social Services and National Health Service Complaints (England) Regulations, 2009.

## 3. Children's Services

	2020/21	2019/20	Change
<b>Number of complaints received</b>	<b>268</b>	<b>258</b>	<b>↑4%</b>
<b>Number of complaints upheld/partially upheld</b>	<b>84</b>	<b>80</b>	<b>↑5%</b>
<b>Number of compliments</b>	<b>335</b>	<b>231</b>	<b>↑45%</b>

### 3.1 Summary

3.1.1 Children's Services received a total of 268 complaints during the reporting period, an increase of 4% from last year. Complaints from adults on behalf of children increased from 257 to 263, an increase of 2.3%. This is lower than the 15.8% increase reported last year. The number of complaints from children and young people rose from 1 to 5. In previous years, complaints from young people have related to domestic matters within children's homes. This reflects a general trend of issues being dealt with without a formal complaint being logged. In 2020/21, 31% of complaints were upheld/partially upheld this figure is the same as 2019/20.

### 3.2 Action taken to improve the service

3.2.1 Children's Services continues to use the learning from complaints and how people contact us as a tool in improving the services offered by the department and in improving our digital offer through our website. We have continued to track key themes and complaint types to make enhancements to our call and complaint handling process.

3.2.2 Actions taken to improve services in 2020/21 include the following:

- Within hours of the first national lockdown we were able to shift our operations to working from home meaning that for people wishing to complain, they would have experienced no degradation of service. This also allowed us to hold panel meetings remotely via MS Teams,

meaning complaints progressed through the children’s statutory process without being unduly affected by Covid-19.

- Improvements were also made to the information made available to parents when social workers were required to visit their homes. In the context of social distancing and lockdown restrictions, there emerged a need to be more explicit about the rationale for physical visits, despite the pandemic.
- Greater remote working posed challenges in terms of communicating with clients who were not email users. During the pandemic we saw an increase in use of the council’s Digital Postal Hub to ensure an uninterrupted mail service delivering important social care, child protection and ISEND service documents to families.
- Further challenges were experienced in the holding of child protection conferences online with some parents raising concerns about the appropriateness of holding such meetings remotely. With delay not a viable option and national lockdown restrictions limiting physical meetings, greater emphasis was placed on reasonable adjustments to ensure all participants of these important meetings were aware in advance of the format, given the opportunity to discuss any technical or other concerns, and ensure full participation in the meeting. This approach will remain as a legacy of the pandemic.
- Finally, in Q4 of the reporting year we introduced a new departmental complaints policy for the whole of Children’s Services. This brought together three previous policies into one unified document that also formalised the validation, investigation, and escalation processes that all complaints are subject to. This new policy has anecdotally reduced confusion and dissatisfaction amongst complainants as it is clear, detailed and most importantly, transparent.

### 3.3 Compliments

3.3.1 The total number of compliments logged were 335 compliments in 2020/21. This is 45% higher than the 231 compliments received in 2019/20. This increase builds on the 30% increase in logged compliments reported in 2019/20. The previous increase was attributed to a new monthly reminder to managers to ensure that compliments and emails/letters of thanks received by teams are logged and shared. The monthly reminder has not changed since it was introduced in 2019/20, so this increase in compliments in 2020/21 can be attributed to a greater degree of appreciation for staff, especially those working under the extraordinary conditions linked to the pandemic response. We continue to share the positive messages coming through the compliments with key members of staff so that this can be learnt from in the same way as we learn from complaints.

### 3.4 Local Government & Social Care Ombudsman

3.4.1 The table below sets out the LGSCO findings for complaints about Children’s Services:

Year	Investigations		Closed after initial enquiries	Invalid/incomplete	Referred back	Advice given	Total
	Upheld	Not upheld					
2020/21	8	2	3	1	7	1	22
2019/20	10	6	10	3	14		43
2018/19	12	5	2	3	12		34

3.4.2 Of 22 complaints, 10 were investigated and of those eight were upheld. The number of referrals was down; this is due to the suspension of complaints by the LGSCO from March to June 2020. The number being investigated was also down, making the percentage of upheld high relative to number investigated. However, the absolute number upheld is below previous years.

3.4.3 There is further analysis of these complaints in the Children’s Services Annual Complaints Report. The report has been published on the council’s website: [Children’s Services Annual Complaints Report](#). This report is required under The Children Act 1989 Representations Procedure (England) Regulations 2006.

## 4. Communities, Economy & Transport (CET)

	2020/21	2019/20	Change
<b>Number of complaints received</b>	<b>67</b>	<b>61</b>	<b>↑10%</b>
<b>Number of complaints upheld/partially upheld</b>	<b>28</b>	<b>22</b>	<b>↑27%</b>
<b>Number of compliments *to date</b>	<b>510*</b>	<b>516</b>	<b>↓1%</b>

### 4.1 Summary

4.1.1 There were 67 complaints received in CET in 2020/21 which was similar to 2019/20 at 61 complaints. Remarkably, although this has been a challenging year, there has been no significant increase in complaints nor in fully or partly upheld complaints. Some services were under immense pressure due to the Covid-19 response, with new ways of delivering services and some high influxes of enquiries from customers regarding changes to services. However, there has been no impact from the Covid-19 crisis on the number of complaints for 2020/21 for CET.

4.1.2 In 2020/21, just over 50% of complaints for CET were in relation to customers voicing disagreement with decisions and delivery of services based on Council policy, a trend which remains year on year. There were 28 fully or partly upheld complaints which was 42% of complaints received in 2020/21, compared to 36% in 2019/20. The number of complaints continue to be low, and this reflects both how effectively we provide information about our services in order to clearly manage customers' expectations and how successful staff have been in effectively managing a huge number of enquiries, challenges, and informal complaints from customers.

### 4.2 Action taken to improve the service

4.2.1 Actions taken to improve services in 2020/21 include the following:

4.2.2 Just over half of our fully or partly upheld complaints were in relation to lack of communication. This is a common theme for our complaints, unlike complaints related to policy, it is a potentially avoidable contact and where we have a high level of scope to get things right for customers. It merits ongoing monitoring to improve the customer experience and effectiveness of service delivery.

4.2.3 Within 2020/21, lack of communication was identified as an issue and improvements were made in the progression of the year. Staff were reminded to identify quickly where we need to focus on communications, and particularly for East Sussex Highways, procedures were improved to identify complaints that need to be escalated to managers to handle. This brought in the focus to where the Head of Customer Service (in the Highways contract) worked to arrange the work needed to resolve the issues quickly and comprehensively. In another instance, the Parking team improved their responses to ensure they are clear and address all of the points raised for better clarification, even though this was not a result of upheld complaints.

4.2.4 It was identified that across CET there was an increase of persistent complainants who contacted services directly and / or the directorate numerous times about the same topic or with slightly altered queries. Clearer guidance was provided to team managers to highlight approaches to use to manage and possibly reduce the continued contact, to provide simpler conclusive information, and clearer avenues to take to escalate their concerns if they remain unhappy with our responses. This in turn increases efficiencies for both staff and customers by not repeating the same information several times and showing customers their concerns are taken seriously by escalating through a clear process (although, unfortunately, we may not be able to change a decision or action).

### 4.3 Compliments

4.3.1 There were 510 compliments logged for CET in 2020/21, compared to 516 compliments in 2019/20. Compliment numbers overall continue to be high, which indicates that teams continue to deliver high quality services and show their commitment to customers. The highest area of compliments are where work and repairs are carried out, specifically with Highways and Countryside Management, the public are very grateful when work is carried out which improves their accessibility and experience of their activities. They are also appreciative of quick responses and actions to their requests and are grateful to staff for their help.

#### 4.4 Local Government & Social Care Ombudsman

4.4.1 The table below sets out the LGSCO findings for complaints about CET:

Year	Investigations		Closed after initial enquiries	Invalid/incomplete	Referred back	Total
	Upheld	Not upheld				
2020/21	2	1	7		3	13
2019/20	0	2	2	1	5	10
2018/19	2	1	8		3	14

4.4.2 The number of upheld complaints remains year on year for CET, with two in 2020/21. The total number of complaints where decisions were made remain similar to previous years.

#### 5. Orbis (ESCC only)

	2020/21	2019/20	Change
Number of complaints received	3	5	↓40%
Number of complaints upheld/partially upheld	1	2	↓50%
Number of compliments	26	1	N/A

##### 5.1 Summary

5.1.1 There were only three complaints for Business Services in 2020/21, with only one partly upheld complaint, due to lack of communications to the customer regarding clarification on their payment and an apology was given. There were no themes to draw out from this small number of complaints.

##### 5.2 Compliments

5.2.1 There were 26 compliments logged in 2020/21 for Business Services from external customers. Reporting on compliments was reestablished with this report and the department this year and so the number received is not comparable to last year. Business Services also log compliments from internal customers; however, these are not reported in this report as the report focuses on external customers.

#### 5.3 Local Government & Social Care Ombudsman

5.3.1 The table below sets out the LGSCO findings for complaints about Business Services, where there was one upheld LGSCO complaint for Business Services in 2020/21:

Year	Investigations		Closed after initial enquiries	Invalid/incomplete	Referred back	Total
	Upheld	Not upheld				
2020/21	1		1			2
2019/20						0
2018/19						0

#### 6. Governance Services

	2020/21	2019/20	Change
Number of complaints received	0	1	-
Number of complaints upheld/partially upheld	0	0	-
Number of compliments	0	0	-

##### 6.1 Summary

6.1.1 There were no complaints logged for Governance Services in 2020/21.

## **6.2 Compliments**

6.2.1 No compliments were recorded in 2020/21.

## **6.3 Local Government & Social Care Ombudsman**

6.3.1 There were no LGSCO complaints investigated regarding this department in 2020/21.

## **7. Chief Executive's Office**

7.1 Complaints are often addressed to the Chief Executive (CE) or Leader and so are received through the CE Office. However, the complaints are about issues with services provided by departments rather than the CE Office itself, so these are recorded by the relevant department and form part of their figures and analysis.